

JAN. 24. 2007 3:30PM

RECEIVED
CENTRAL FAX CENTER

NO. 4623 P. 2

JAN 24 2007

PTO/SB/31 (09-08)

Approved for use through 03/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

| | | | |
|--|--|---|--|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number (Optional) 00143-00245-US | |
| In re Application of Gerhard Gross et al. | | | |
| Application Number 10/517,723 | | Filed December 10, 2004 | |
| For CEREBRAL PROTECTION WITH A GAS COMPRISING XENON | | | |
| Art Unit 1616 | | Examiner ERNST V. ARNOLD | |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-2775. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.


I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/86)

☒ attorney or agent of record.
Registration number 22,112

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.


 Signature
 Harold Pezzner
 Typed or printed name
 (302) 658-9141
 Telephone number
 January 24, 2007
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of 1 forms are submitted.

01/25/2007 TBESHAH1 00000024 032775 10517723
 01 FC:1401 500.00 DA